



MAIL STOP PETITION
PATENT
19200-000033/US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Inqvar SJÖQVIST	Conf:	3900
Serial No.:	10/797,598	Group:	2615
Filed:	March 11, 2004	Examiner:	Fatimat Olaniran
For:	HEARING PROTECTION		

**PETITION UNDER 37 C.F.R. § 1.181
TO WITHDRAW HOLDING OF ABANDONMENT**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 17, 2008

Dear Sir:

In response to the Notice of Abandonment dated June 12, 2008, Applicant hereby respectfully petitions under the provisions of 37 C.F.R. 1.181 and M.P.E.P. §711.03(c) for decision to withdraw the holding of abandonment.

The Notice of Abandonment dated June 12, 2008 indicates that this application was abandoned in view of Applicant's failure to respond to an Office Action dated September 19, 2007. However, a review of the file jacket for the present application, the firm docketing records, and the contents of the file for the present application reveals that a response to the Office Action dated September 19, 2007 was filed on January 22, 2008 together with a check for \$120 for a one-month extension of time.

The fact that a response was filed on January 22, 2008 is evidenced by **Exhibits I and II** attached hereto.

Exhibit I is a copy of the postcard receipt for Application No. 10/797,598 bearing the USPTO date stamp of "JAN 22 2008" and indicating that an Amendment and Check No. 3105 for \$120.00 were received by the USPTO on January 22, 2008.

Exhibit II is a copy of the Amendment and Check No. 3105 for \$120.00 which were filed on January 22, 2008.

In view of the above-described facts, and since Applicant has a date-stamped postcard for the filing of the January 22, 2008 Amendment, it is readily apparent that the abandonment of the present application was unavoidable and due solely to problems with the United States Patent and Trademark Office. Accordingly, this petition is being timely filed for the purpose of petitioning withdrawal of the abandonment in view of the above-stated facts.

It is further believed that no petition fee is necessary in connection with this petition. In the event that the petition fee is deemed necessary by the United States Patent and Trademark Office, it is respectfully requested that the fee of \$130.00 as set forth in 35 U.S.C. §1.17(h)(1) be charged to Deposit Account No. 08-0750.

In the event that any matters remain at issue in the application, the Examiner is invited to contact John A. Castellano in the Northern Virginia area, for the purpose of a telephonic interview.

Respectfully submitted,

HARNESS, DICKY AND PIERCE P.L.C.

By

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Attachments: Exhibits I and II